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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/532,204

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Philippe Schoulz

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MICHAEL BEST & FRIEDRICH, LLP  
100 E WISCONSIN AVENUE  
Suite 3300  
MILWAUKEE, WI 53202

EXAMINER

PAN, YUWEN

ART UNIT

PAPER NUMBER

2618

MAIL DATE

DELIVERY MODE

05/03/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/532,204

Applicant(s)

SCHOULZ ET AL.

Examiner

Yuwen Pan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 1 is objected to because of the following informalities: “possibly”, in line 2, causes ambiguity to the claim language, suggest to remove it. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Tsuda et al (US005777585A).

Per claim 1, Tusda discloses An accessory attachment system for a mobile unit covered in an outer shell capable of possibly presenting an external antenna (see figure 4 and item 6), the accessory having an anchor point for a ring on which there is mounted a loop of cord for connection to the mobile unit, wherein the cord has mounted thereon a plate suitable for being secured to the shell of the mobile unit, and at least one O-ring of elastic material suitable for sliding (see figure 4 and item 2) or rolling along the external antenna to occupy a clamped position at the root of the antenna (see column 4 and lines 29-52).

### ***Claim Rejections - 35 USC § 103***

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US005777585A) in view of Williams (US006742685B2).

Per claim 2, Tsuda doesn't expressly teach the accessory and the plate are mounted on the cord via respective key rings. Williams teaches that the accessory and the plate are mounted on the cord via respective key rings (see figure 6 and item 24). It would have been obvious to one ordinary skill in the art at the time the invention was made to combine the teaching of Williams with Tsuda's accessory attachment system to provide easy and secure connection with user's body.

Per claim 3, Tsuda further teaches that anchoring is provided either by an overmolded toroidal section or by two facing holes formed in parallel faces of the accessory (see figure 1 and item 20).

Per claim 4, Tsuda further teaches that a double-sided adhesive layer is stuck to the plate, the layer being covered in a protective film (front and back, figure 2 and corresponding paragraphs).

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6. Claims 5-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsuda et al (US005777585A) and Williams (US006742685B2) as applied to claim 1 above, and further in view of Walter (US 20030040286A1).

Per claim 5, combination of Tsuda and William doesn't teach that the accessory comprises a case of plastics material housing a tuned circuit set to the frequency band used by the mobile unit in transmission and in reception, the circuit being coupled to a wave pickup and being designed to power at least one LED. Walter teaches that the accessory comprises a case of plastics material housing a tuned circuit set to the frequency band used by the mobile unit in transmission and in reception, the circuit being coupled to a wave pickup and being designed to power at least one LED (see para. 9). It would have been obvious to one ordinary skill in the art at the time the invention was made to have the feature of Walter in order to notify the user of carry device without relying on the usual disruptive notification mechanisms (see para. 007).

Per claim 6, Walter further teaches that the circuit is set so that the LEDs flash when a call signal is picked up or transmitted (see para. 009).

Per claim 7, Walter further teaches that which the architecture of the circuit is sufficiently miniaturized and adaptable to allow main parallel faces of the accessory to take up a variety of figurative shapes (bag shape, see para. 009).

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Per claim 8, Walter further teaches that carrying case is made of leather or fabric. Both material is commonly well-known for clear transparent material such as glasses or screen of display (see para 008).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yuwen Pan whose telephone number is 571-272-7855. The examiner can normally be reached on 8-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anderson D. Matthew can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
Yuwen Pan  
April 25, 2007